

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

STANFORD EARL PRITCHETT,
#270677,

Plaintiff,

v.

WARDEN REOSHA BUTLER,
GOVERNOR KAY IVEY, and
COMMISSIONER JEFFERSON S.
DUNN,

Defendants.

CASE NO. 2:20-CV-644-WKW
[WO]

ORDER

Plaintiff, an inmate confined at the Ventress Correctional Facility, recently initiated this 42 U.S.C. § 1983 action. Prior to service of the complaint, Plaintiff filed a Motion for Leave to Dismiss in which he seeks dismissal of this case under Rule 41(a) of the Federal Rules of Civil Procedure. (Doc. #5.) The motion is CONSTRUED as a Notice of Voluntary Dismissal.

Under Rule 41(a)(1)(A)(i), voluntary dismissal by a plaintiff is permitted “before the opposing party serves either an answer or a motion for summary judgment” Such dismissal is “without prejudice.” Fed. R. Civ. P. 41(a)(1)(B).

Accordingly, Plaintiff’s action against Defendants has been dismissed without prejudice by operation of Rule 41(a)(1).

The Clerk of the Court is DIRECTED to close this case.

DONE this 2nd day of October, 2020.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE